IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 14477 of 2003

Between:

1 A.Lakshmi Narayana S/o. Butchaiah
Gundala PACS Gundala Mandal,
Khammam District.
2 N.Nagarjuna Rao S/o.Varaiah
Mukundapuram PACS, Illaandu Mandal
Khammam District.
3 D.Narasimha Rao, S/o. Venkaiaha
Nellipaka PACS, Nellipaka
Khammam District.

..... PETITIONERS

AND

1 The District Cooperative Officer Khammam, Khammam dist.
2 The Divisional Cooperative Officer, Kothagudem,Khammam District..
3 The Gundala PACS, Gundala Mandal, Khammam District rep.by Chairman/PIC
4 The Mukundapuram PACS, Illandu Mandal, Khammam District, rep. by its Chairman/PIC
5 The Nellipaka PACS, Nellipaka, Khammam District.
rep. by its Chairman/PIC

6. The District Co-operative Central bank Limited, Khammam, rep. by its General manager (R-6 is impleaded as per Court order, dated 09.04.2004 in W.P.M.P.No.2752 of 2003)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the impugned action of the 2nd respondent in issuing Proceedings Rc.No.1513/02-B, dated 13.5.2003, 14-5-2003 directing the respondent societies to terminate the petitioners from service and the consequential action of the respondents societies in issuing proceedings dated 7.4.2003,

16.6.2003 and 26.5.2003 terminated the petitioners from service without any enquiry or opportunity as highly illegal, arbitrary and violative of Art.14 and 21 of the Constitution of India apart from contrary to the judgment of the Hon'ble Supreme Court reported in 1988 AIR SCW 3186 (Basudeo Tiwary Vs.Sido Kanhu University) and consequently set aisde the impugned proceedings.

Counsel for the Petitioners:MR.G.V.SHIVAJI

Counsel for the Respondent Nos 1 & 2: Government Pleader for Co-operation.

Counsel for respondent No.6: Mr.P.M.Gopala Rao, Advocate.

The Court made the following :

O R D E R:

-

The learned counsel appearing for the petitioner submits that this Writ Petition is covered by the judgment of this Court in W.P.No.3171 of 2003 and batch, dated 30.08.2004.

Following the same, this writ petition is dismissed. No costs.

07.09.2004

tjs

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Cooperative Officer Khammam, Khammam dist.
2 The Divisional Cooperative Officer, Kothagudem,Khammam District..
3 The Gundala PACS, Gundala Mandal, Khammam District rep.by Chairman/PIC
4 The Mukundapuram PACS, Illandu Mandal, Khammam District, rep. by its Chairman/PIC
5 The Chairman, Nellipaka PACS, Nellipaka, Khammam District.
6.The General manager, District Co-operative Central bank Limited, Khammam.

7. 2 CCs. to the G.P.For Co-operation, High Court of A.P.,Hyderabad.

8. 2 C.D.Copies.

Form-NIC-OGS/WP{ }